

REMARKS

The Applicant acknowledges that the allowance of claims 1-9 and the indication that claims 11-13 and 16-18 include patentable subject matter have been withdrawn.

The Examiner rejected claims 1-8, 10-13, and 16-30 under the judicially created doctrine of obviousness-type double patenting in view of US Patent 6,705,365. The Applicant submits the enclosed terminal disclaimer overcomes this rejection. The Applicant respectfully requests the terminal disclaimer to be entered and the rejection withdrawn.

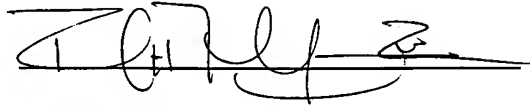
The Examiner rejected claims 1-5, 10, 11, 16-19, 22, and 26-28 under § 102(e) over Bohm 6,388,567. The Examiner rejected claims 7, 8, 12, 13, 20, 21, 23, 24, 25, 29, and 30 as being obvious in view of Bohm 6,388,567. The Applicant respectfully traverses the rejection. Each of the independent claims of the current application is directed to the invention of providing power to a monitoring device through field coupling. The Bohm reference cited by the Examiner is directed to the direct, electrical connection of an antenna with a monitoring device. Bohm '567 thus fails to disclose, teach, or suggest the use of coupling and fails to disclosure, teach, or suggest an arrangement for powering a monitoring device aside from a direct electrical connection between the device and the power source. The Bohm '567 coupling elements (102 and 104) cited by the Examiner are directly connected together to form an electrical connection. Independent claims 1 and 11 of the pending application require the first and second coupling elements to be aligned and spaced apart to provide power to the monitoring device. Claims 16 and 17 have been amended to clarify that the coupling

recited in the claims is field coupling and not a direct electrical connection such as that taught in Bohn '567. Claim 25 requires the power source to be electrically connected to the monitoring package through close proximity electromagnetic coupling to provide power to the monitoring device. The Bohm '567 reference does not disclose, teach, or suggest these limitations. The Applicant thus submits all of the pending claims are patentable over the Bohm '567 patent.

The Applicant notes the patent application that eventually issued as the Bohm '567 reference was cited in an Information Disclosure Statement filed October 16, 2000, in the parent to the present application. The Applicant also submitted prior art references that disclosed the use of coupling to electrically connect an antenna to a monitoring device. Although the Applicant believes all of these references already have been considered by the Examiner along with the other coupled antenna references, the Applicant has submitted US Patent 6,208,244 in an accompanying Information Disclosure Statement. US Patent '244 discloses coupling but, like the Bohm '567 reference cited by the Examiner, does not relate to the use of coupling to supply power to a monitoring device. The benefits of using coupling to supply power to a monitoring device are described in the present specification and include the benefits of easily replacing the power source and removing the power source from heat exposure. The Applicant thus submits the pending claims are also patentable over this type of art.

In view of the foregoing, the Applicant respectfully requests reconsideration of the claims and most earnestly solicits the issuance of a formal Notice of Allowance for the claims.

Please call the undersigned attorney if any issues remain after this amendment.



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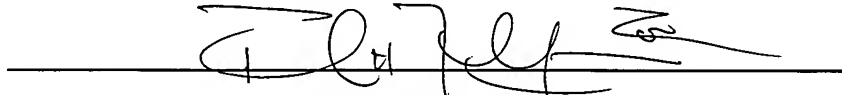
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I hereby certify that this correspondence (Amendment D in application serial no. 10/055,324 filed 01-22-2002) is being deposited with the United States Postal Service as first class mail (with sufficient postage) in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 26, 2005.



Fred H. Zollinger III